

REMARKS

Applicants thank the Examiner for discussing the case with Applicants' representatives.

In summary, the Board of Patent Appeals and Interferences (BPAI) did not interpret claim 2 as reading on the species of Fig. 1, and therefore remanded the case back to the Examiner so that claim 2 could possibly be amended to read on the elected species. Therefore, in view of the remand by the BPAI, the Examiner has issued a new Office Action.

Statement of Substance of Interview

Claim 2 is now withdrawn from consideration as allegedly being drawn to a non-elected species. Pursuant to Applicants' representative's interview with the Examiner, claim 2 is amended, as indicated herein, as the Examiner indicated that claim 2 would likely be rejoined as a pending claim based on the amendment herein. Applicants respectfully request that claim 2 be rejoined as a pending claim.

Claim Rejections

With respect to claims 6-9, the Examiner maintains the exact same previous rejections of these claims. That is, claims 6-9 remain rejected under 35 U.S.C. § 102(e) as being anticipated by Reiter (6,224,002). In response to these rejections, Applicants maintain the arguments set forth previously in the Appeal and Reply briefs. *See Appeal Brief dated March 2, 2004, Supplemental Appeal Briefs, and Reply Brief dated September 27, 2004.*

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

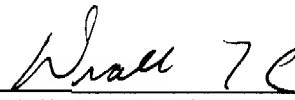
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 26, 2008


Diallo T. Crenshaw
Registration No. 52,778